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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,958	02/18/2004	Andrea Romagnoli	BUGZ 200176-2	2338

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EXAMINER

SIPOS, JOHN

ART UNIT PAPER NUMBER

3721

DATE MAILED: 04/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary

Application No.

10/780,958

Applicant(s)

ROMAGNOLI, ANDREA

Examiner

John Sipos

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 16-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/18/04</u> . | 6) <input type="checkbox"/> Other: ____ |

REJECTIONS OF CLAIMS BASED ON FORMAL MATTERS

The following is a quotation of the second paragraph of 35 U.S.C. ' 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 16-30 are rejected under **35 U.S.C. ' 112, second paragraph**, as being **indefinite** for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 16 is indefinite in that the relationship of the thread/tag to the tube is not clear. The claim should be clarified to recite that the folding of the paper web is performed in a direction away from the thread/tag so that the thread/tag are on the outside of the tube. Without such clarification some of the dependent claims remain indefinite, e.g. claim 24 reciting the pushing of the thread to the opposite side of the web and claim 28 reciting the thread is on the outer face of the containment chamber.

The “folding” of claim 22, line 3, has no proper antecedence. The claim should depend on claim 20.

The “the layer of adhesive” of claim 23, line 3, has no proper antecedence. The claim should depend on any one of the claims of 17-19 or 21.

Claim 24 is indefinite in that the relationship of the slit cutting step and the thread forcing step to the rest of the steps of claim 16 is not clear. A term such as “prior o formation of the tube” should be inserted after “cut” in line 2 of the claim.

The “concave section” of claim 25, line 2, has no proper antecedence.

The “the layer of adhesive” of claim 28, line 3, has no proper antecedence.

REJECTIONS OF CLAIMS BASED ON PRIOR ART

The following is a quotation of 35 U.S.C. ' 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16-23 and 28-30 are rejected under 35 U.S.C. ' 103(a) as being unpatentable over the patent to Lohrey (EP1,002,741). The patent to Lohrey shows a method of producing filter bags comprising feeding a filter paper 25, as thread 19 and tags 22 in parallel directions, forming a loop 39 in the thread, connecting the loop to the tags (Figure 6, views 1-3), folding the tag 22 (Figure 6, view 4) along a crease (see Figures 3 and 4), sealing the tag to itself and the paper at 24, folding the paper into a tube at 44 and welding the tube longitudinally and transversally (rollers on the right side of Figure 2).

The securing of the thread to the tube (claim 1), the forming of double compartments (claim 28,29) and cutting of the corners of the corners of the chamber (claim 30) are well known in the filter bag making art and the Examiner takes official notice that their use is common knowledge in the packaging art. In the above cases, the modification of the Lohrey operation would have been obvious to one skilled in the art for the known benefits of each modification. For example, securing the thread to the tube prevents its free movement, the double compartment provides for a better filtering action and the cutting corners provides for a better shape for the bag.

Regarding the use of heat-activated adhesive, the Lohrey reference discloses the “welding” of various seals (the tag to the paper and longitudinal/cross seals) indicating that a heat-activated material is used to permit efficient sealing of the materials.

ALLOWABLE SUBJECT MATTER

Claims 24-27 are objected to as being dependent upon a rejected base claim, but **would be allowable if rewritten in independent form** to include all of the limitations of the base claim and any intervening claims and if rewritten to overcome the indefiniteness rejection.

ADDITIONAL REFERENCES CITED

The following prior art is made of record but has not been relied upon in the rejection of claims. However, the prior art is considered pertinent to applicant's disclosure.

The patent to Romagnoli (5,871,789) teaches the use of heat sealable filter web, tag and thread in a filter bag forming process in which the a loop 9 is formed in the thread, the tag is attached to the loop, the loop is attached to the web, the tag is folded, the web is folded to form a tube, the tube is longitudinally and transversally sealed with the thread secured to the the web between the cross seals.

The patent to Romagnoli (4,828,851) and Ghirladi show the forming of double-compartmented filter bags.

The patent to Johnson shows a filter bag forming process in which the tag is folded around a loop in the thread which is attached to the filter material.

The patent to Vernon shows a filter bag forming process in which the tag is formed at a loop in the thread and sealed to the web material at 18.

The patent to Salfisberg shows a filter bag forming process in which the thread is pushed into the compartment of the bag (Figure 15).

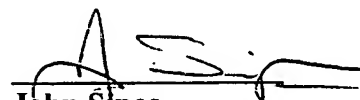
The patent to Marzocchi (EP1,016,599) shows a filter bag forming process wherein the corners of the chamber are cut (Figure 4).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication should be directed to **Examiner John Sipos** at telephone number **571-272-4468**. The examiner can normally be reached from 6:30 AM to 4:00 PM Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at **571-272-4467**.

The **FAX** number for Group 3700 of the Patent and Trademark Office is **(703) 872-9306**.



John Sipos
Primary Examiner
Art Unit 3721

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Art Unit: 3721

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